IN RE: PETITIONS FOR SPECIAL HEARING & * BEFORE THE SPECIAL EXCEPTION * ZONING COMMISSIONER W/S Rolling Road, 625 ft. N of Frederick Road * OF BALTIMORE COUNTY 14-A North Rolling Road 1st Election District * Case No. 92-276-SPHX 1st Councilmanic District Legal Owner:Richard DiSalvo,et ux Contract Purchaser: Clayton E.Spivey

Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing and Petition for Special Exception for that property known as 14-A N. Rolling Road in the Catonsville section of Baltimore County. The Petition was filed by the Legal Owners of the property, Richard and Bonnie DiSalvo. However, the relief requested is necessitated by the proposed use of the property by the Contract Purchaser of same, namely, Mrs. Clayton E. Spivey.

As to the Petition for Special Hearing, it is requested that I determine that an Acupuncturist is a "professional person" as that term is intended under Section 1B01.1.C(9B) of the Baltimore County Zoning Regulations (B.C.Z.R.). Within that section, an office or studio of a physician, dentist, lawyer, architect, engineer, artist, musician or other professional person is permitted by special exception in a D.R. zone. The Contract Purchaser seeks an Order that the office of an Acupuncturist is permitted. Assuming such a determination is made, the Petitioner then seeks, by way of the Petition for Special Exception, approval for an Acupuncturist's office at the subject locale.

Both the property owners, Richard and Bonnie DiSalvo, appeared at the

The Contract Purchaser/Petitioner, Clayton E. Spivey, also appeared and was represented by Mitchell R. Peiser, Esquire. Two neighbors of the subject property, Deborah Csakvary and Elizabeth Cleveland, who both reside at 12 N. Rolling Road, appeared in support of the Petition, but did not testify.

In opposition to the Petition, John L. Schneider of 100 N. Rolling Road appeared, as did Judith A. Murphy at 14 North Rolling Road, and Stuart E. Bannett of 104 North Rolling Road. Additionally, correspondence in opposition to the Petition was received from several property owners in the subject locale.

The subject property is located off of a panhandle driveway which accesses Rolling Road. The parcel is zoned D.R.3.5 and is approximately .48 acres in size. It is improved by a two story single family dwelling which features a single story addition on the side. Further, two patios adjoin the dwelling, as well as an existing macadam driveway and parking area. All of the improvements, as well as the immediate neighborhood, are more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petitions for Special Hearing and Special Exception.

Addressing, first, the Special Hearing, Mrs. Spivey offered substantial testimony and evidence regarding her background and occupation. She has obtained a Bachelor of Science degree and also a Masters Degree in the study of acupuncture. She testified extensively as to the requirements to become a licensed Acupuncturist in the State of Maryland. In her case, she has both graduated from a School of Acupuncture and passed a National Board exam for those individuals entering the profession. She testified that she has practiced her profession for approximately 1-1/2 years and currently maintains an office in Columbia, Md. She also presented a packet of information, collectively identified as Petitioner's Exhibit No. 2, regarding her qualifications. This includes her license to practice acupuncture issued by the Department of Mental Health and Hygiene of the State of Maryland, a certificate attesting to her Master's degree in the field of acupuncture issued by the Traditional Acupuncture Institute and portions of the Maryland Department of Health and Mental Hygiene regulations which govern acupuncturists.

Based upon my review and the evidence and testimony offered. I am of the opinion that an acupuncturist, in fact, is a "other professional person" as that term is employed in Section 1B01.1.C(9B). In making this judgment, I am mindful of the other occupations identified within the requlation. Specifically, offices and studios of physicians, dentists, lawyers, and others, are permitted. All of these professional persons require specialized training, are licensed by the State, and are bound by a code of ethics and/or principals imposed by that profession. The evidence presented in the instant case convinces me that the occupation of an Acupuncturist has much in common with the standards and requirements of those profes-Thus, based upon my interpretation of the regulation, as well as the case law, e.g., Colker v. District of Columbia Board of Zoning Adjustment, 474 A2d. 820 (1983), and Keefe Company v. District of Columbia Board of Zoning Adjustment, 409 2d, 624 (1979), I am persuaded that an Acupuncturist is a professional person and can, by Special Exception, maintain an office in a D.R. zone.

Further, evidence was offered that Mrs. Spivey intends to establish her office within the same building which would serve as her primary resi-👸 👸 dence and that the office would not occupy more than 25% of the total floor area of the residence. Specifically, it was shown that the office would be

approximately 300 sq. ft. in area, well below the 25% threshold mandate in Section 1B01.1.C(9B). The total area of the house is computed at 2,422 sq. ft. Further, Ms. Spivey testified that she did not intend to employ more than one non-resident professional associate, nor two other non-resident Thus, I am persuaded to grant the Petition for Special Hearing, in that same is is compliance with the spirit, intent and literal provisions of Section 1B01.1.C(9B)

Having made that determination, I must, therefore, address the Petition for Special Exception. In adjudging this request, I must determine whether the proposed use would be detrimental to the primary uses in the vicinity based upon the factors as delineated in Section 502.1 of the B.C.Z.R. I have carefully considered the Petition for Special Exception. My decision is based upon the testimony offered and numerous exhibits presented at the public hearing (including the site plan and numerous photographs), as well as a visit to the proposed site.

As indicated, the subject property, although bearing a Rolling Road address, does not immediately abut Rolling Road. Rather, access to the property is by way of a 10 ft. (+/-) wide existing macadam driveway which leads to the property from Rolling Road. This panhandle driveway actually serves five (5) properties. There is an existing dwelling owned and occu pied by Mr. and Mrs. Edward G. Schmidt which abuts Rolling Road (No. 14 N. Rolling Road), as well as a house south of the Schmidt property and separated from same by the driveway occupied by Mrs. Cleveland (No. 12 N. Rolling As the panhandle driveway works its way west from Rolling Road, it passes the subject property, known as 14-A N. Rolling Road, as well as a lot and dwelling thereon to the south, immediately across the driveway The driveway ends at a property owned and occupied by Mr. and Mrs. Murphy.

Additionally, oral testimony was given and supported by a deed submitted which indicates that the right of way, upon which the macadam driveway is located, is owned by Mr. and Mrs. Murphy. The other four (4) lots served by the driveway, as identified above, have an easement across same for ingress and egress from Rolling Road.

Returning to the testimony presented, Mrs. Spivey discussed the physical layout of the house and the plans for her practice. She intends on keeping flexible hours, from approximately 10:00 A.M. thru the early evening. She further noted that the average appointment for her patients is from one to two hours and she will consult six to seven patients per day. In her view, it is unlikely that more than a few vehicles will park at the site at any one time due to the low volume and scheduling of patients. She also anticipates no additional employees, other than a possible part time clerical employee and a professional employee to fill in for her when she is unavailable or on vacation. In fact, I agree with her assessment that the physical layout of the structure is sufficient to support the proposed

In opposition to the Petition, Judith A. Murphy, the adjacent property owner, as described above, testified. She has several objections. First, she is concerned about the disposal of medical waste and the potential pollution from same in the surrounding locale. This concern, however, was allayed in my mind by testimony elicited from Mrs. Spivey that there will be minimal amount of medical waste and that same will be properly disposed. Mrs. Murphy's other concerns, however, are more germane. She is specifically concerned about both the parking of vehicles visiting the site and traffic generated by the proposed use. As to parking, Mrs. Murphy believes that the subject property has insufficient parking spaces for the proposed use. She has observed in the past that cars visiting the site often park on the unimproved portion of the right-of-way. As owner of same, she will not allow parking for Mrs. Spivey's patients on the rightof-way and believes that the site does not have a sufficient number of spaces. She also questions whether the existing driveway can accommodate additional traffic.

Her comments were echoed by Mr. Bannett, the Vice President of the local community association, who also opposes the Petition for the reasons set forth above, as well as a concern that additional, commercial intrusion in this neighborhood would devalue other residential properties.

As indicated above, I am required to adjudge the merits of the special exception in accordance with Section 502.1 of the B.C.Z.R. That section sets out the specific criteria which must be applied to each Petition. Specifically, in this instance, I am most concerned about sub-section 502.1b which provides that the special exception should not be granted if the use will "tend to create congestion in roads, streets, or alleys there-Based upon my site visit to the property, as well as the testimony and photographs presented, I must conclude that the use as proposed will, in fact, cause real detriment to the surrounding locale by virtue of increased congestion in the roads, streets, or alleys adjacent to this property. I am particularly concerned over the fact that the driveway is very narrow and will not support any appreciable volume of vehicle traffic to the property. Additionally, the site distance when looking from the driveway down Rolling Road is insufficient. The access/egress from the driveway to Rolling Road is dangerous. In my view, this intersection is an accident waiting to happen. Further, it is to be noted that the Murphys are fee ្នាំ 🖔 🖒 simple owners of the right of way on which the macadam driveway is located. Thus, Mrs. Spivey has neither the right, nor authority, to bring the driveway into conformance with County regulations and standards. I particularly note the Zoning Advisory comment filed in this case by the Bureau of Traffic Engineering. Within that comment, it is suggested that the existing 10 ft. driveway be widened to a minimum of 16 ft. paved section. Even if Mrs. Spivey is inclined to improve the driveway, she cannot do so, in that she does not own the property.

For the aforementioned reasons, I am persuaded that the Petition for Special Exception must, therefore, be denied.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted in part and denied in part.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 20 day of March, 1992, that the Petition for Special Hearing to approve an Acupuncturist as a qualified professional for the purpose of maintaining a professional office within a residential property be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to approve the use of a professional office within the subject property, in accordance with Petitioner's Exhibit No. 1, be and is hereby DENIED

> Zoning Commissioner for Baltimore County

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Baltimore County Government Zoning Commissioner Office of Plannion and Zenning 1 19.00

Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

March 20, 1992

Mitchell R. Peiser, Esquire 805 Court Square Building Baltimore, Maryland 21202

> RE: Petitions for Special Hearing and Special Exception Case No. 92-276-SPHX Clayton E. Spivey, Contract Purchasers Richard DiSalvo, et ux, Legal Owners,

Dear Mr. Peiser:

Enclosed please find the decision rendered in the above captioned case. The Petitions for Special Hearing and Special Exception have been granted, in part, and denied in part, in accordance with the attached Order

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

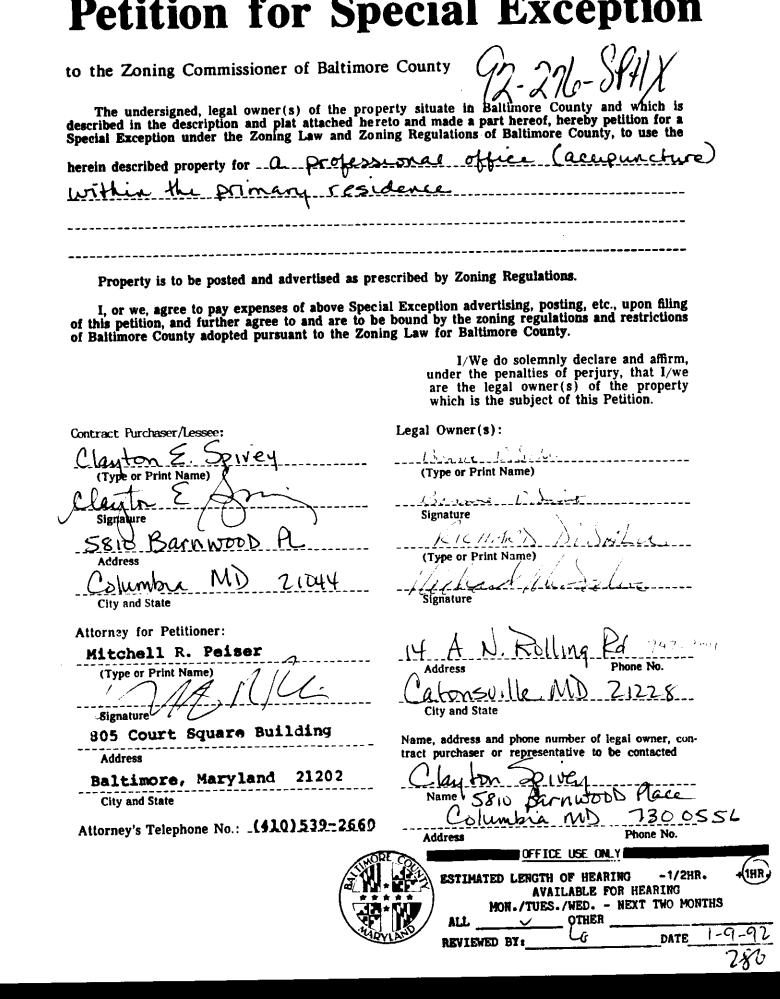
Lawrence E. Schmidt Zoning Commissioner for Baltimore County

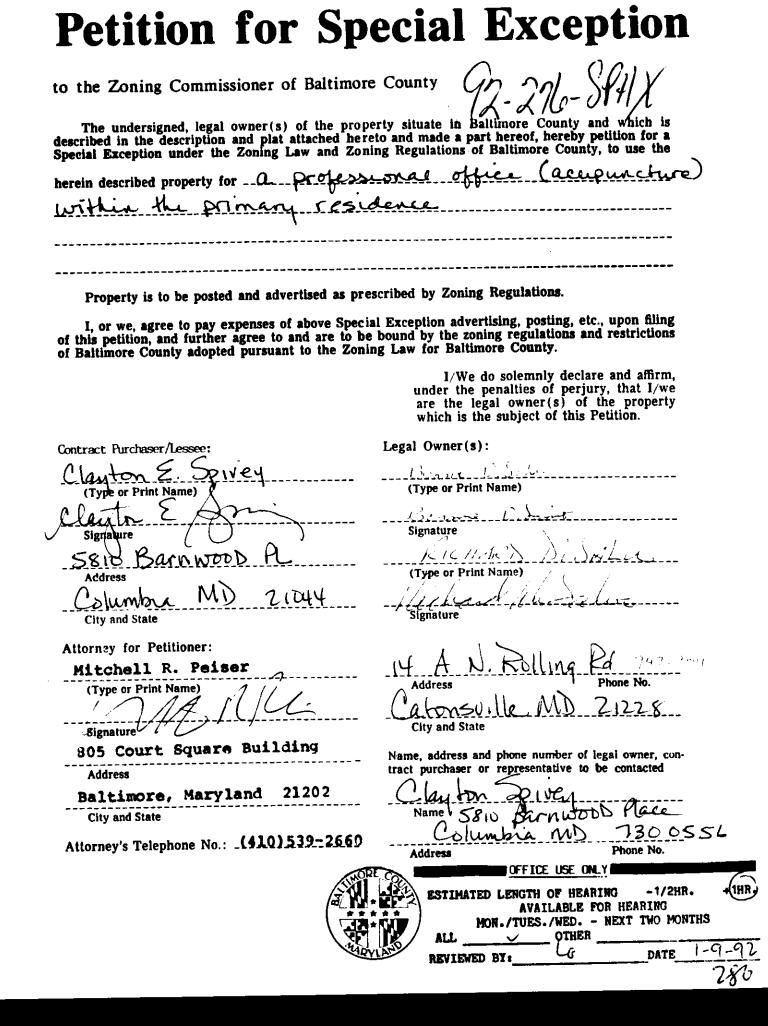
cc: Mrs. Clayton E. Spivey

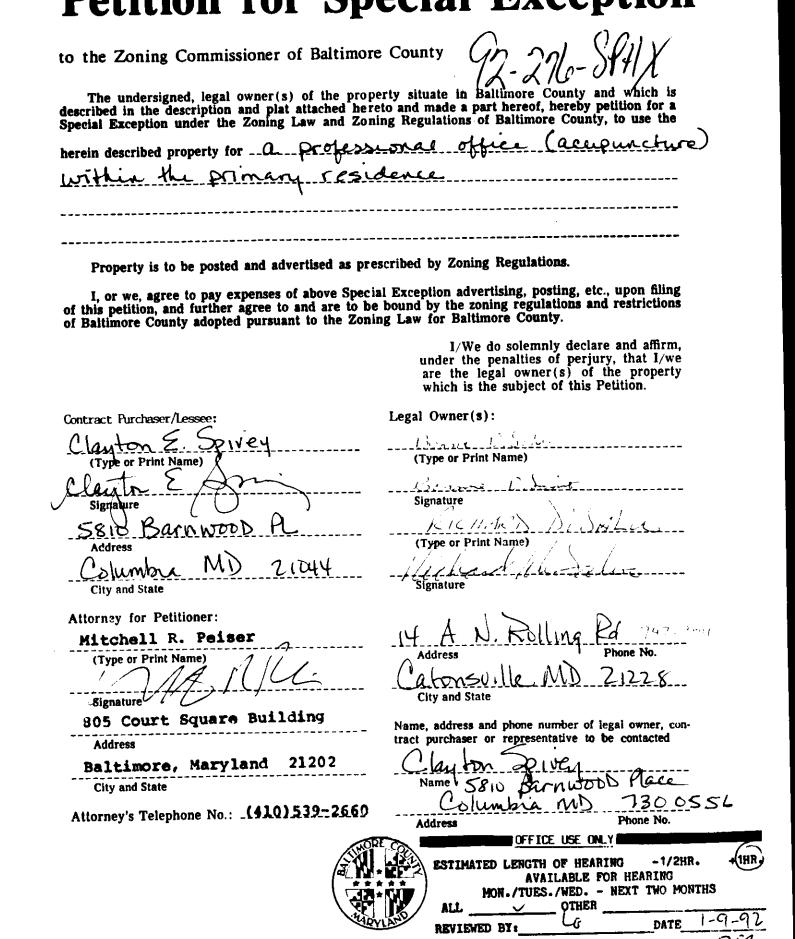
cc: Mr. and Mrs. Richard DiSalvo cc: Mrs. Judith A. Murphy

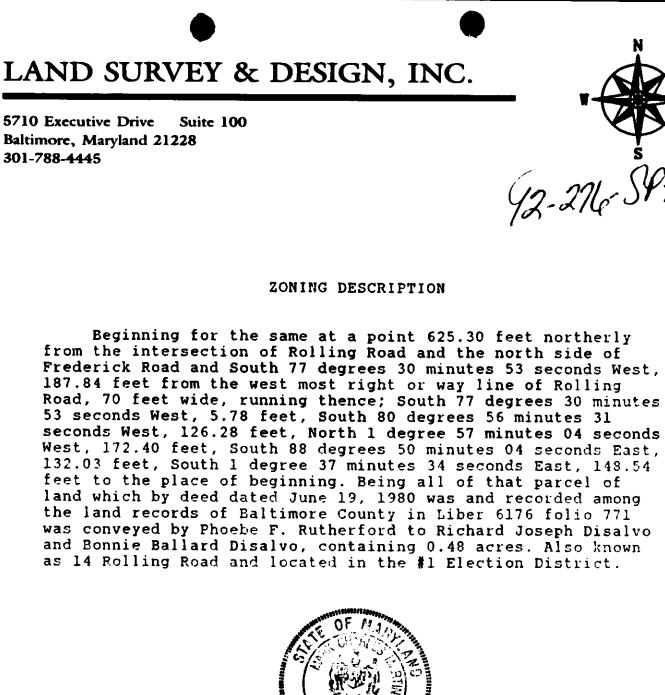
-7-

Petition for Special Hearing to the Zoning Commissioner of Baltimore County 92-276-SPAN The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve acapaneture as a qualified medical profession for the par pose of a professional office within a residential Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and ere to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County. 1/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Legal Owner(s): Contract Purchaser/Lessee: (Type or Print Name) 13 Smare 17 Southeld (Type or Print Name) Columbia, MD 21044 City and State Attorney for Petitioner: 14 A North Rolling Rd 747- 1911 Mitchell R. Peiser 805 Court Square Building Name, address and phone number of legal owner, contract purchaser or representative to be contacted Address Baltimore, Maryland 21202 Clayton E. Spivey Name Barnwood PL City and State Columbia MD 21044 730-0554 Address Phone No. (410)539-2660 Attorney's Telephone No. AVAILABLE FOR HEARING MON./TUES./WED. - NEXT TWO MONTHS









5710 Executive Drive Suite 100

Baltimore, Maryland 21228

301-788-4445

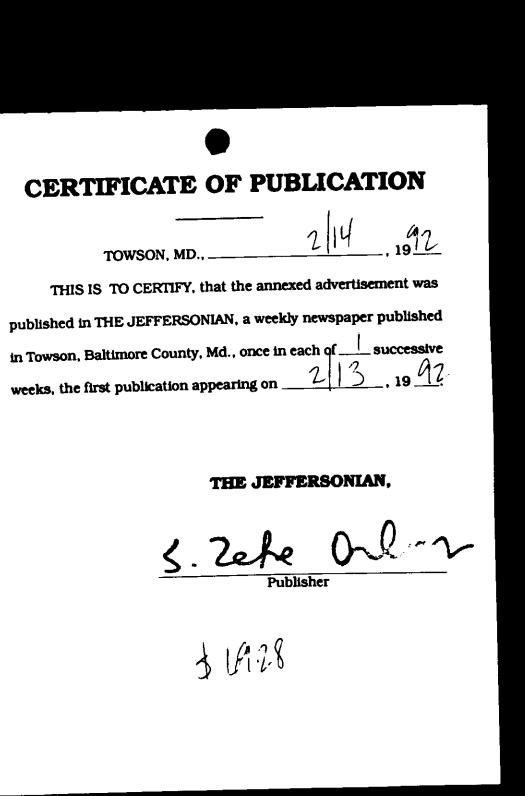
CERTIFICATE OF PUBLICATION The Zoning Commissioner of Ballimore County, by authority of the Zoning Act and Regulations of Ballimore County will note a public hearing on the property identified herein in Room 106 of the County Office Building, totaled at 111 W. Chesapeske Avenue in Towson, Maryland 21204 as follows: THIS IS TO CERTIFY, that the annexed advertisement was published in the CATONSVILLE TIMES, a weekly newspaper published in

Special Hearing: to approve acupuncture as a qualified medical profession for the purpose of a professional office within a residential property. Special Exception: for a professional office (acupuncture) within the primary residence.

Bonnie Lisalow and Richard Disalow

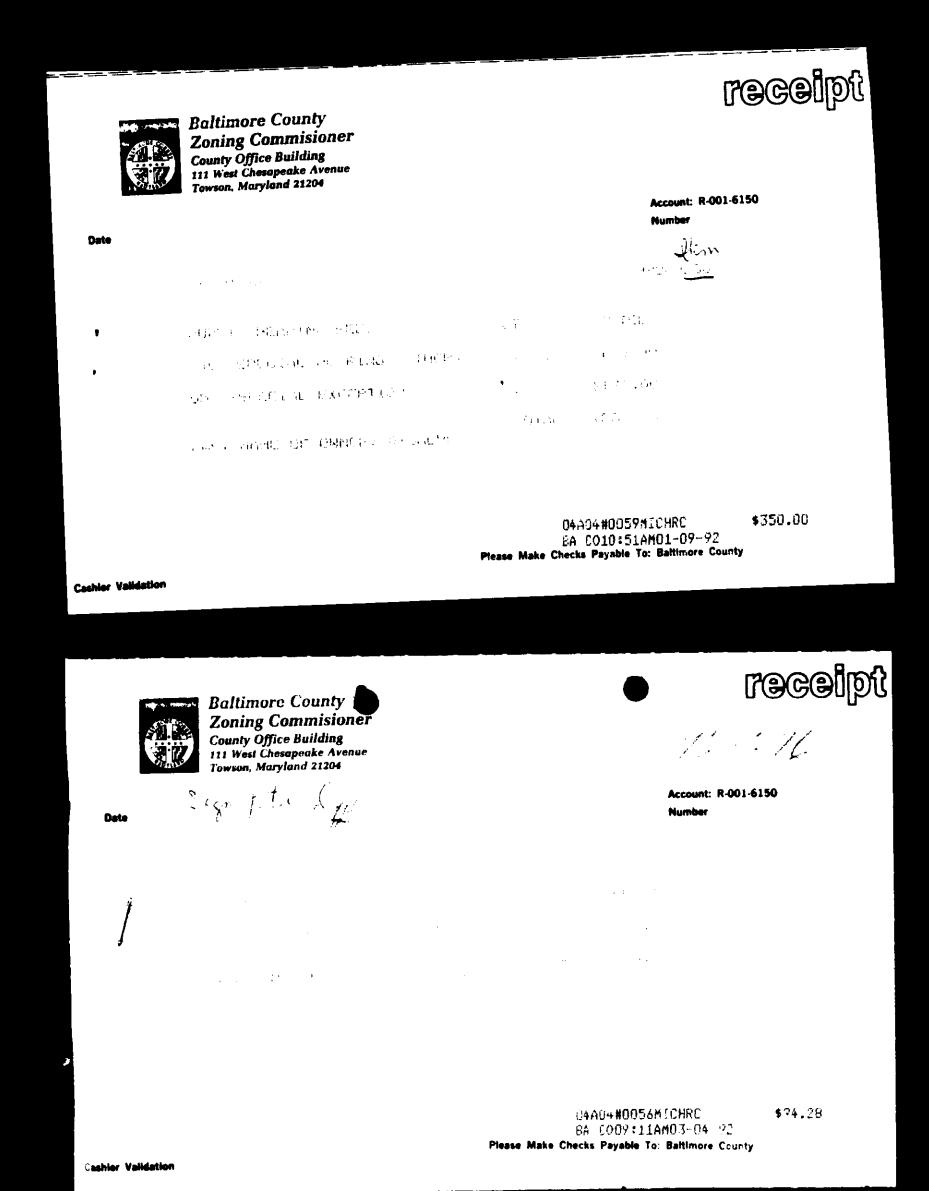
Location of property: Y/s Rolling Good, 625' 11 of Frederick Road

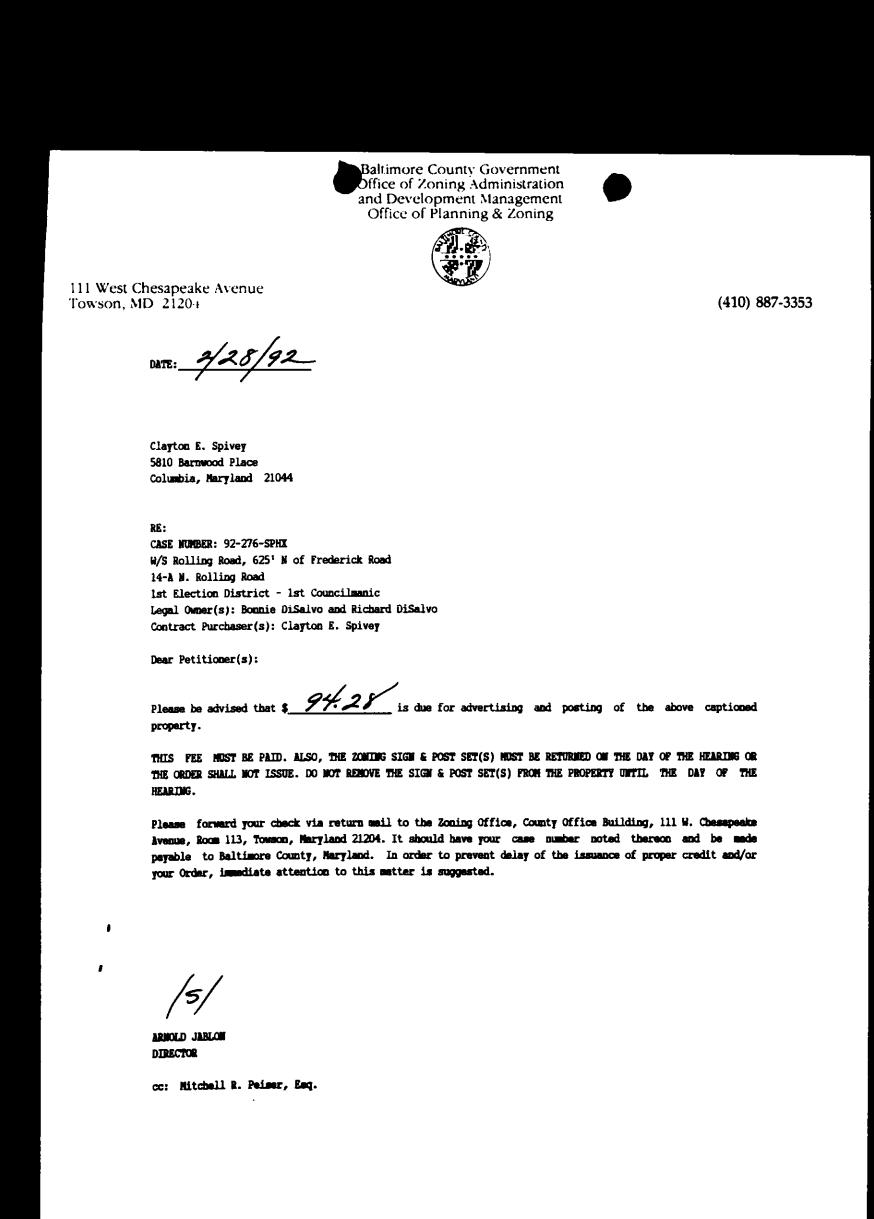
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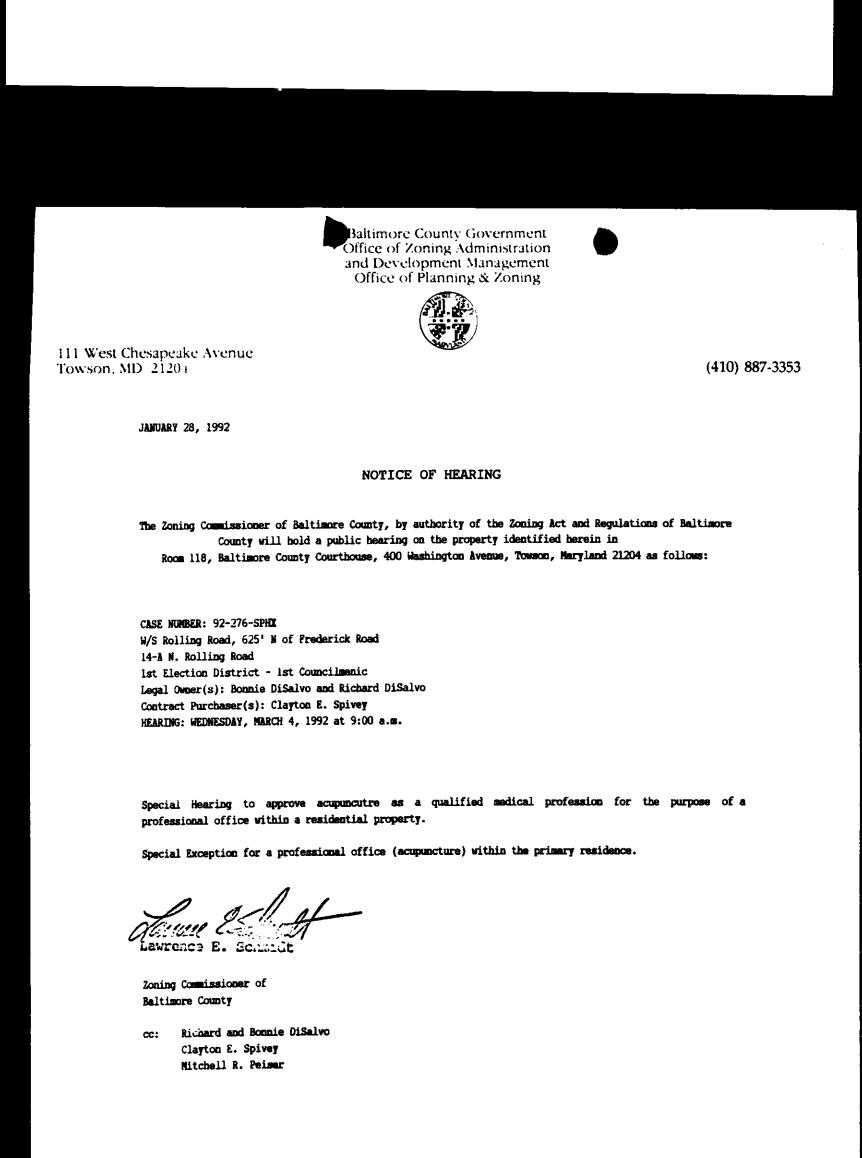


of Ballmore County will hold public hearing on the proper identified herein in Room 108 are County Office Building. I called at 111 W. Chesapeale A arus in Towern, Maryland 2120 as follows:

Case Number: 92-278-8PH W/S Rolling Road, 925 N of Frederick Road 14-A N. Rolling Road 15t Election Diserve 11st Councilments 1st Councilm







111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

February 5, 1992

Mithcell R. Peiser, Esquire 805 Court Square Building Baltimore, MD 21202

RE: Item No. 286, Case No. 92-276-SPHX Petitioner: Richard DiSalvo, et al Petition for Special Hearing

Dear Mr. Peiser:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a review by Zoning personnel.

Zoning Plans Advisory Committe Coments Date: February 5, 1992

Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the peition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or imcompleteness.

Attorneys and/or engineers who make appointments to file petitions on a fegular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the loss of filing fee.

Coordinator

WCR:jw

Enclosures

cc: Ms. Clayton E. Spivey Mr. & Mrs. Richard DiSalvo

92-276-SPHX 3-4-92

Arnold Easten, Eastere. Zoning Administration and Development Management

Gary L. Kerns, Chief Comprehensive and Community Planning Office of Planning and Zoning

SUBJECT: DiSalvo/Spivey Property, Item No. 286

In reference to the Petitioner's request, the staff provides the following comments:

Staff supports the Petitioner's request provided that the following conditions are attached:

-The acupuncture practice shall be limited to Mr. Spivey and one non-professional employee to ensure that the use is compatible with the existing neighborhood.

-Upon reasonable notification of the resident, an employee of the Zoning Office shall be permitted to conduct periodic inspections in order to determine that the provisions of Section 1801.1C9B are being complied with as outlined in the Baltimore County Zoning Regulations.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

Report prepared by:

GLK/JL:rdn ITEM286/TXTROZ **Baltimore County Government** Fire Department

700 East Joppa Road Suite 901 Towson, MD 21204-5500

(301) 887-4500

JANUARY 30, 1992

Arnold Jablon Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204

RE: Property Owner: BONNIE DISALVO AND RICHARD DISALVO

#14-A N. ROLLING ROAD Location:

Item No.: 286 Zoning Agenda: JANUARY 28, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

Noted and Planning Group

Special Inspection Division

Fire Prevention Bureau

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this 9th day of January, 1992.

BALTIMORE COUNTY ECONOMIC DEVELOPMENT COMMISSION

Memorandum

Zoning Advisory Comments for Meeting of January 28, 1992

This office has no comment for items 285, 286, 289, 290, 291, 292, 293,

Julie Winiarski

January 29, 1992

294, 295, 296 and 297.

Development Management

A. J. Haley, Deputy Director

Economic Development Commission

Office of Zoning Administration and

Zoning Plans Advisory Committee

Petitioner: Richard DiSalvo, et al

Petitioner's Attorney: Mitchell R. Peiser

92-276-SPHX 3-4

BUREAU OF TRAFFIC ENGINEERING DEPARTMENT OF PUBLIC WORKS BALTIMORE COUNTY, MARYLAND

DATE: February 18, 1992

Mr. Arnold Jablon, Director Office of Zoning Administration and Development Management

Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: January 28, 1992

ITEM NUMBER: 286

- 1) The existing 10 ft. drive should be widened to a minimum 16 ft. paved
- 2) The proposed two off-site parking spaces should be relocated on-site.

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

DATE: February 13, 1992 TO: Arnold Jablon, Director Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

Zoning Advisory Committee Meeting for January 28, 1992

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 285, 289, 290, 291, 293, 294, 295 and 296.

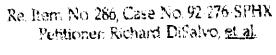
For Items 286 and 292 County Review Group Meetings will be required.

For Item 297, the previous County Review Group Comments still remain valid.

> ROBERT W. BOWLING, F.E., Chief Developers Engineering Division

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Mr. Larry Schmidt, Commissioner

Dear Mr. Schmidt: TRADITIONAL ACTIFUNCTURE.

AncientApproach ⊑

On March 4, 1902 you heard the testimony in the hearing for a special exception for use of 14 A North Rolling Road, Catonsville, 21228, for use as a professional office in a private residence. At the time, you had assured us of a decision as soon as possible, saying that, in this case, "Justice delayed is justice denied." I was hopeful that your decision could be rendered quickly, as the passage of much more time could make the entire question mook.

The contract of sale for the property in question is contingent apost the granting of the special exception. Already the date of intended settlement has passed (using the time guidelines issued by the Flanning and Zoning Office upon filing the application, a March 15 settlement date was specified). While the contract may be extended with the permission of the soller, I find myself in the position of being unable to extend the deadline of the guaranteed period of my mortgage loan application, which is March 27. Any delay past the beginning of next week (March 22) will most assuredly raise the interest rate, points, and other fees associated with the contract for the loan, making the transaction much more difficult, if not impossible. So, you see, time really is of the essence.

I would greatly appreciate it if you could render a decision as soon as possible. I will be calling your office on Thursday (March 19) to see if your decision has been made.

Thank you for your understanding and your help.

Clayton E. Spivey, R.Ac.

10716 Laide Patusent Pkwy Columbia

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

OHN L. SCHNEIDER DWART & BANNETT

100 D. ROLINGRO 14 N. Ralling Rd 104 N. ROLLING ROAD

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

Por 14A N. Rolling Ra CLAITON, SPINEY 19AN Polling Rd. RICHARD Di Salvo 14 A N. Rolling Rd. Bonais Di Salvo 12 N ROLLING RD DEBORGH CSAKVARY Elizabeth Cleveland

92-276-5PHX

5510 Barnwood Place Columbia Maryland 21044 December 29.1991

Baltimore County Office of Planning and Zoning 111 W. Chesapeake Ave. Towson, MD 21211

I am enclosing the following applications: 1) for a Special Hearing (to determine if "acupuncture" can be included on the list of medical professions which can qualify for a professional medical office within a primary residence, and 2) for a Special Exception which would allow my acupuncture office to be located within my primary residence.

In addition to the above named applications, I am enclosing several documents that, I hope, will facilitate the decision of the Commission on my behalf:

1. An article explaining the emergence of acupuncture as a medical profession in the State of Maryland and in the U.S.

2. My diploma from the Traditional Acupuncture Institute, one of only three accredited institutions in the U.S. granting graduate degrees in acupuncture. 3. My registration and license from the State of Maryland's Board of Physician Quality Assurance (the same licensing board that licenses western medical physicians) 4. A copy of the State law which governs acupuncture, and declares it within the

5. A brief explanation of the intended use and traffic flow for the proposed

At this time, I would also like to request an early hearing by the Board. Since the contract for the purchase of this property is contingent on your approval of the Special Exception, it would help me greatly if the hearing could be held as soon as

Thank you very much for your help. If I can be of further assistance, please call me at my home (730-0556).

Clayton E. Spivey, R.Ac/

5810 Barnwood Place Columbia, MD 21044 January 9, 1992

Mr. arnow gablon, Director

Zoning Administration \$ Development Management III W. Chesapenke Ave Towson, MD 2,204

Dear Mr. Jablan

This is to request an early hearing for obtaining a special exception for a professional office with a primary

I have submitted a bid for contract for the home located on 14 A North Rolling Rd. and the contract has been accepted based on the contingency of the special exception being granted However, the current owner has also lisked a 72 hour Kick-out clause en which he can accept any other non-contingent contract with only a 72 hour notice to me to drop my contingency. Thus, time is of the essence in order to purchase this property I would therefore appearing the extrest possible hearing date and decision from the Board. Thank you for your help. and thank you for the assistance your step has provided to me in the application process.

1.4/92

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92-276-SPHX

92-276-SPHX

To Whom It May Concern,

They as to advise Hat we have been made umare of the prosibility of an acupaneture office coming to our neighborhood. This is to let you know that we think this will been advantage we

never dreamed of when we dought our home Please wake this a promitility, by voting 400 when asked to clear the way for this to happen.

Therting you in advance, we are Obertick a Cherchan & Res

Whatah & Cambrangen Etwaboth A. Checkenil RN

Debotok A. Cockvary, Ca 12 N. Rolling Rd. Catophredle, Ald 21278

409 ATLANTIC REPORTER, 2d SERIES

In the Matter of KEEFE COMPANY,

DISTRICT OF COLUMBIA BOARD OF

ZONING ADJUSTMENT. Respondent.

District of Columbia Court of Appeals. Argued Oct. 31, 1979.

Decided Dec. 10, 1979.

ministrator and the board of zoning adjust- ited to use by a "chancery, non-profit orment determined that a consulting firm and ganization, labor union or architect, denregistered lobbyist was not a "similar professional person" within revised special purpose district zoning regulation, and consult- that to be eligible for occupancy permit, ing firm appealed. The Court of Appeals, professional must have professional educa-Pryor, J., held that: (1) board of zoning tion, code of ethics, and professional licensadjustment did not engage in rule making ing, was neither arbitrary nor inconsistent but, rather, was interpreting phrase within with regulation. its statutory authority, and (2) board's conclusion that consulting firm was not a "similar professional" was neither arbitrary nor clearly inconsistent with zoning regulation. Affirmed.

District of Columbia Board of Zoning Adrespondent. justment was not "rulemaking" without complying with procedural formalities required by statute but, rather, was interpret. Associate Judges. ing phrase within its statutory authority. and thus substantial deference had to be accorded its interpretation. D.C.C.E. § 1- [1] Petitioner, Keefe Company, a con-

for other judicial constructions and 2. Zoning and Planning \$354, 605

1. The decision of the Zoning Administrator, dated September 18, 1978, was made based October 5, 1978, the Zoning Regulations were

sulting firm and registered lobbyist, challenges the determination of the D.C. Zoning Administrator and the Board of Zoning Adjustment (herein BZA), that the Company is not a "similar professional person" within While zoning commission promulgates the Revised Special Purpose (SP) District regulations, it is responsibility of District of Zoning Regulation § 4101.44 (1978). Ap-

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Columbia Board of Zoning Adjustment to interpret the regulations adopted by commission, and unless interpretation of Board is clearly erroneous or inconsistent with regulation, Court of Appeals must defer to its decision on meaning of regulation.

3. Zoning and Planning ⇔278 District of Columbia Board of Zoning Adjustment's conclusion that consulting firm and registered lobbyist was not a "similar professional person" within meaning of zoning regulation, and thus was not entitled

to certificate of occupancy for premises sit-The District of Columbia Zoning Ad- uated in special purpose zoning district lim-

for other judicial constructions and

John A. Keats, Washington, D. C., for

Leo N. Gorman, Asst. Corporation Coun-By interpreting phrase "similar profes- sel, Washington D. C., with whom Judith sional person" as used in zoning regulation, W. Rogers, Corporation Counsel, and Richlimiting use in district to certain named ard W. Barton, Deputy Corporation Counoccupations or similar professional person, sel, Washington, D. C., were on the brief for

Before KERN, FERREN, and PRYOR,

PRYOR, Associate Judge:

474 ATLANTIC REPORTER, 2d SERIES

Solomon S. COLKER, Petitioner,

DISTRICT OF COLUMBIA BOARD OF ZONING ADJUSTMENT, Respondent.

District of Columbia Court of Appeals. Decided Sept. 16, 1983.*

occupancy for premises located in special purpose zone. The board of zoning adjustment denied application and businessman petitioned for review. The Court of Appeals held that action of board was neither peals held that action of board was neither N.W. The building is in an SP-2 zone in

of occupancy for use as an "accountant, tion, but the BZA ruled otherwise. with zoning regulation.

petitioner. *The original disposition of this case was by an ment. Respondent's motion for publication was unpublished Memorandum Opinion and Judg granted by the court.

SON, Associate Judges.

Before NEBEKER, PRYOR and BEL-PER CURIAM:

This is a petition for review of a decision of the District of Columbia Board of Zoning Adjustment (BZA) denying petitioner's application for a certificate of occupancy for premises located in a Special Purpose (SP) zone. The BZA found that petitioner was not a "similar professional person" within the meaning of § 4101.44 of the

Zoning Regulations. We affirm. Petitioner, Solomon S. Colker, is the founder and chief officer of S.S. Colker & Associates, Inc. On behalf of his corporation, Colker applied for a certificate of occupancy to use as an office certain premises located at 1330 New Hampshire Avenue, arbitrary nor inconsistent with zoning regchancery, international agency, nonprofit organization, labor union, architect, dentist, doctor, engineer, lawyer or similar

professional person" (underscoring in original). 11 DCMR § 4104.44 (1982). Colker Finding of board of zoning adjustment contends that he is a "similar professional that businessman, who sought certificate person" within the meaning of the regulafinancial analyst and economist" in special

A prior decision of this court affirmed planning zone, was not a "similar profes-the BZA's ruling that in order to be a sional person" under zoning regulation per"similar professional person," a person mitting use for "office for chancery, intermust (1) have professional education, (2) be national agency, non-profit organization, labor union, architect, dentist, doctor, engineer, lawyer or similar professional person" was neither arbitrary nor inconsistent censed. See Keefe Co. v. District of Columbia Board of Zoning Adjustment, 409 A.2d 624, 625-26 (D.C.1979). Colker is licensed by the state of Maryland as a certifinancial analyst by the Institute of Char-

Allen V. Farber, Washington, D.C., for fied public accountant and is chartered as a Leo N. Gorman, Asst. Corp. Counsel, tered Financial Analysts. However, he Washington, D.C., with whom Judith W. sought a certificate of occupancy for use as Rogers, Corp. Counsel, Washington, D.C., an "accountant, financial analyst and econat the time the brief was filed, and Charles omist." See Board of Zoning Order No. L. Reischel, Deputy Corp. Counsel, Wash- 13714 (January 18, 1983). Neither financial ington, D.C., were on brief, for respondent. analysts nor economists are subject to pro**ACUPUNCTURE FACT SHEET**

92-276-SPHX

Acupuncture and How It Works

Acupuncture, a system of health care which originated in China more than 3,000 years ago, has been offered in the U.S. for more than 150 years. Acupuncture is a comprehensive system of preventive health care and health maintenance as well as a useful process for managing chronic disorders.

The practice of acupuncture is based on a paradigm of the body unlike that used in Western medicine. This model centers on the concept of "Qi" (pronounced "chee"), loosely translated as energy, and its effect on physiological function and health. Acupuncture's basis is supported by the scientific understanding that human beings are complex bioelectric systems.

Treatment with acupuncture needles is the most commonly used technique. However, acupuncturists may utilize other forms of treatment such a moxibustion (a form of heat therapy) and a variety of massage and movement techniques. Dietary modifications, herbal prescriptions and specific therapeutic exercises may also be

> **Acceptance and Support of Acupuncture** As a Health System

The World Health Organization, the medical branch of the United Nations, issued a provisional list of diseases amenable to acupuncture treatment which includes respiratory ailments and gastrointestinal and eye disorders.

The National Institute of Drug Abuse and the National Institute on Alcohol Abuse and Alcoholism have begun demonstration projects using acupuncture treatment for crack cocaine detoxification and alcoholism. The U.S. government has spent \$1 million funding acupuncture drug detoxification treatment programs in New York. NY: Miami, FL; and Portland, OR.

STATE OF MARYLAND DEPARTMENT OF HEALTH AND MENTAL HYGIENE LICENSE, REGISTRATION, OR CERTIFICATION RENEWAL THE MARYLAND STATE BOARD OF

PHYSICIAN QUALITY ASSURANCE

CLAYTON E SPIVEY

REGISTERED ACUPUNCTURIST

LIC REG CERT NO EXPRATION DATE 12/31/93

accordance with the Health Occupations Article of the Annotated Code of Maryland

LICENSE, REGISTRATION, OR CERTIFICATION RENEWAL

SAVE THIS PORTION OF CARD AND USE REVERSE SIDE FOR NAME AND / OR ADDRESS CHANGES, BOARD MUST BE NOTIFIED OF THESE CHANGES IMMEDIATELEY.

Board of PHYSICIAN QUALITY ASSURANCE 4201 PATTERSON AVE, 3RD FL BALTIMORE MD 21215

CLAYTON E SPIVEY 5810 BARNWOOD PLACE COLUMBIA

MD 21044

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

THE MARYLAND STATE BOARD OF PHYSICIAN QUALITY ASSURANCE CERTIFIES THAT CLAYTON E SPIVEY IS AN AUTHORIZED REGISTERED ACUPUNCTURIST

IN ACCORDANCE WITH THE HEALTH OCCUPATIONS ARTICLE OF THE ANNOTATED CODE OF MARYLAND

WHERE REQUIRED BY LAW THIS MUST BE CONSPICUOUSLY DISPLAYED IN OFFICE TO WHICH IT APPLIES and the same of the management and a second of the same of the sam

Volunties Section	UNIF		PRAISAL REPORT	File No. 7-1992
	estimate Market Value as o		ESTIMATED REPRODUCTION COST-NEW	OF IMPROVEMENTS:
	N GROOS LIVING AREA ABO show any squees last existings		Dwelling 2 0 Sq. FL 0 8	55.00 = 112.000 15.00 = 10.530
_	QUARE FOOT CAL		Basement 702 Sq.ft. 0\$_	
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ALAMA	<u>. </u>		Depreciated Value of Improvements	•
			Site Imp. "as is" (driveway, landscaping. ESTIMATED SITE VALUE	A
7.7	1		(Il leasehold, show only leasehold value.	
1			MIDICATED VALUE BY COST APPROAC	H Rd. =\$ 180.000
(Not required by Freddie	Mac and Fannie Mae)		Construction Warranty Yes	x №
Does property conform to	applicable HUD/VA proper	ty standards?	Name of Warranty Program Name of Warranty Coverage Expires N/A	•
# No. explain: _Conf	ormance with b	HA/VA Standards has not scope of appraisal.	N/A	
		Index and number to subject and has considered Water	is the market applying. The description includes a dollar	djustment, reflecting market reaction to those floms
all also Manas — della a batana i	المفتحة ولأحمدهم الدوانية بالأراد بالأ	es. Il a circulterri riera va lle comparable armonti il 100	perior to, or more favorable than, the subject property e mi i (+) adjustment is made, thus increasing the indicated val	
		COMPARABLE NO. 1	COMPARABLE NO. 2	COMPARABLE NO. 3
TEM S	SUBJECT 14A North	12 North	248 Gralan	500 Westside
Address	Rolling Rd.	Rolling Road	Road	Boulevard
Proximity to Subject		Same Block	+/50 Miles	+/50 Miles \$ 180.000
Sales Price	\$ 177.500	\$ 170,000	\$ 175,000 \$ 116.67 Ø	\$ 180,000 \$ 85,71 th 180,000
Price/gross Liv. Area	\$ 87.10 D	・ 130,77 中 Visual/MLS/Lusk	\$ 116,67	Visual/MLS/Lusk
Data Source VALUE ADJUSTMENTS	Inspection DESCRIPTION	DESCRIPTION +(-) # Adjustment	DESCRIPTION +(-) & Adjustment	DESCRIPTION • (-) \$ Adjustment
Sales or Financing				
Concessions	<u> </u>	FHA	C'ventional	C'ventional
Date of Sale/Time	1-92	5-91 6	12-91	5-91 Average
Location Site/View	Average	Average Average	Average Average	Average
Design and Appeal	SLevel-Avg.	SLevel-Avg.	Rambler-Avg	Rambler-Avg
Quality of Construction	Brk/Ynl-Avg	Brk/Cd-Avg.	Brick-Good -2.000	Vt.BdAvg. +4.000
Age	40 Years	30 Years	40 Years	40 Years Average
Condition Above Grade	Average - Total Betns	Good -5.000 Total Bdrms Baths	Average Total Bdrms Baths	Total Bdrms Baths
1	2 8 5 5 5 2 2 2	6 34 5/12 +2,000		9 5 3 -2,000
Gross Living Area	2.038 Sq. FL	1.300 Sq Ft +11.070	1.500 Sq.FL +8.070	
Basement & Finished	Partial-Fam	Partial-Fam	Full-Family	Partial- Family Room +1.000
Rooms Below Grade	Room, H-Bath	Room.H-Bath Good	Room -5.000 Good	Family Room +1.000
Functional Utility Heating/Cooling	Good FHA/Central	FHA/Central	HWBB/None +1.000	FHA/Central
Garage/Carport	Off-street	1C Built-in -2.000	Off-street	2C Attached -4.000
Porches, Patio,	Sun Porch		Porch	Breezeway
Pools, etc.	Deck. Fence		Sun Porch +1.000	Patio +1.000 Storm
Special Energy Efficient Items	Storm Windows	Storm Windows	Windows	Windows
Fireplace(s)	Wood Stove	1 Fireplace -1.000		1 Fireplace -1.000
Other (e.g. kitchen	Avg. K'chen	Avg. K'chen	Avg. K'chen	Avg. K'chen
equip., remodeling)	and Bath	and Bath 9.070	and Bath 4,070	and Bath 1,000
Net Adj. (total)		x + -8 9.070	x + -1\$ 4.070	1.000
of Subject		\$ 179,070		
Comments on Sales Co		ables given equal weigh	nt as all reflective of	the Catonsville
market. Subj		assessed by Baltimore		
100000000000000000000000000000000000000	(DAI PO MAISTANIANI	DODO A CU		\$ 179,000
	/ SALES COMPARISON AI / INCOME APPROACH (id		N/A /Mo. x Gross Rent Multiplie	
This appraisal is made	x "as is" sub	ject to the repairs, alterations, inspections or	conditions listed below con	npletion per plans and specifications.
Comments and Condit	ions of Appraisal: No	warranty of the apprai	<u>sed property is given o</u>	
E liability is	assumed for	the structural or mecha	nical elements of the p	roperty.
Final Reconciliation:	The market day	ta approach is given the	e most credence as it r	errects buyer estimate of value
participation	on in the mark	is not developed becau	ach supports the final se the subject is not a	n income property.
I This appraisal is base	g about the apone tedritement	ents, the certification, contingent and limiting	conditions, and Market Value definition tha	t are stated in
FmHA, HUD &/or 1	VA Instructions.			
		e Form 1004B (Rev. 7/86) filed with client	TV 40 0F · -	x attached
	•	S DEFINED, OF THE SUBJECT PROPER		19 91 to be \$ 179,000
0 I (We) certify: that to t	he best of my knowledge ar	d belief the facts and data used herein are to	ue and correct; that I (we) personally inspect	ted the subject property, both inside and
N out, and have made a	n exterior inspection of all c	omparable sales cited in this report; and tha	t I (we) have no undisclosed interest, present	, or prospective inerein,
Appraiser(s) signatur	<u> </u>	Review Appraiser	SIGNATURE	Did Did Not
KAME	D.R. D'Argeni	#133135 (il applicable)	NAME	Inspect Property
	N		onals Inc 1 (800) 523 - 0872	Fannie Mag Form 1004 10/86

Plat To Accompany Petition for Zoning Special Exception Special Heat PROPERTY ADDRESS 14AROLLING ROAD See pages 5 & 8 of the CHECKLIST for additional required infor	
DEED REF. LIBER 6176 FOLIO 771 OWNER: RICHARD J. DISALVO & BONNIE B. DISALVO	EDMONDSON AVENUE WHITEFIELD ROAD
ROLL INGWOOD ROAD STANITARY	ROLL INGWOOD ROAD
PLAT 1 NELSON T. MCCLEARTY AND. CLEAN OUT MAJORIE D. SEIF L7898 F 486	SITE TO SERVICE THE PARTY OF TH
FAMILY DAG. FAMIL	Vicinity Map scale: 1 = 1000
TELE. POLE	LOCATION INFORMATION
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SYLVANSIDE PB 30 F 113 PROP. PARKING TREES NOT TO BE DISTURBED 471 90 39 W 101 94 (TYPICAL) CONTROL PARKING TREES NOT TO BE DISTURBED 471 90 39 W 101 94 (TYPICAL)	Lot size: 0.48 21108 square feet -216-SHK sewer:
THIS PLAT IS BASED ON A FIELD	Chesapeake Bay Ciltical area: yes no Prior Zoning Hearings: NONE
NORTH SURVEY DATED JANUARY 2. 1882	Zoning Office USE ONLY!
date: 1-8-1992 prepared by: LAND SURVEY & DESIGN Scale of Drawing: 1 = 50.	LG 286

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92-276-5PHX

Application for Special Exception

Applicant:

Clayton E. Spivey, R. Ac. 5810 Barnwood Place

Columbia, Maryland 21044

(Tel: 410-730-0556)

14 A N. Rolling Road Subject Property: Catonsville, MD 21228

Richard and Bonnie DiSalvo Owners:

Proposed Use: Primary Residence with portion to be used as Professional Office (Acupuncture)

Traffic Plow: As an acupuncturist, I see (maximum) one patient per hour. Occasionally, an acupuncture appointment takes up to 2 hours. Thus, the estimated maximum number of patients seen in one day is approximately

Parking: Since the flow of patients is relatively low, the availability of two parking spaces (in addition to the space available for my own vehicle) should be ample.

Renovations: The only changes necessary to practice acupuncture within this dwelling are restricted to the inside of the house. No renovations to the exterior of the building are anticipated.

REMAX COLUMBIA TEL No.1-301-740-8258 Mar 2,92 11:48 No.015 P.03 be their est As Witness my head and Notorial soel

(Notoriel soel)

James & Smith widower

S Lloyd Johnson and wife

및 U B B \$27.50 S R T \$25.00

Resorded Aug 22 1941 at 1.50 P M & EXD Per Christian B Kehl Clerk

This Deed Made this clat day of August in the year miseiteen hundred end forty one by and botween Jemes E Smith first part and S Lloyd Johnson and Florence F Johnson his of Beltimore County State of Maryland parties of the seem

E his wife as tenents by the entireties their easigns the survivor of them out the heirs and District of Beltimore County State of Moryland known as Glan Alpine and described as fellow Beginning for the same at a stone heretofore planted at the northwest corner or is-

tersection of Frederick Road and Rolling Road said corner being the beginning of the land # corded among the Land Records of Baltimore County in Liber W M I No 134 folio 350 etc and Records in Liber W P C No 448 folio 17 thence reversing said line so drawn and binding ther sesst 213 feet to the place of beginning Containing 20.78 acros of land more or less

TEL No.1-301-740-8258

REMAR CILUMBIA

Man 2,92 11:48 No.815 P.04



Baltimore County Zoning Commissioner Office of Planning & Zonin Towson, Maryland 21204

PHOTOS

47.0 feet

<u>x 28.8</u> feet

1353.60

2707.20 sq. feet

+ 567.00 sq. feet

3274,20 total sq. feet

567 = 3274.20 = 17% of the total sq. footage used

Additional measurements which must be added in to the total square footage:

dining room

hallways

portion of the living room used for passage

stairs up to the second and/or third levels stairs down to the clubroom

portion of the clubroom used for passage

portion of the cl

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In reference to the Joney

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the Catherine willy 2012238:

NORTH ROLLING ROAD COMMUNITY ASSOCIATION, INC Wednesday, March 4th, 1992

The Officers of the North Rolling Road Community Association, Inc., having duly polled all of its members, hereby submit the following position on the zoning exception request of the contract owner of the property known as 14A North Rolling Rd., for the implementation of a residential office:

 That an overwhelming majority of the members of the Association oppose the granting of the exception for the reasons following;

2) That the exception represents a commercial incursion into a residential neighborhood which would alter the character of the community and reduce property values in a harmful way; Association members cite their complaint against Katzenberg/Midy Tidy at 201 North Rolling Rd. in 1988, at which time the Zoning board found in favor of the community and rejected the petition of the defendant to conduct a business on their premises; Association members also cite their Zoning Petition filed October 1991 reducing a significant portion of the community from DR3.5 to DR2 and removing the RO exception granted many years ago to the holders of the property at 303 North Rolling Road; that the granting of the present exception would undermine the gains to the community implicit in the cited examples and reverse the trend of community conservation underway;

3) That the exception would bring an additional traffic burden to an already overburdened thoroughfare; owners of properties in the unit block are already unhappy with the difficulty of access onto North Rolling Road resulting from heavy volumes of traffic and the back-up which occurs at the light-controlled intersection at North Rolling and Frederick Roads, and fear any exacerbation; further, a personal inspection of the site by the Association's president, an Engineer, revealed that exit visibility onto Rolling Road is restricted by large trees, an old entrance wall, and road grading itself, and poses a substantial safety hazard to occasional users unaccustomed to the traffic dynamic;

For these reasons, the Officers of the North Rolling Road Community Association, Inc., do hereby respectfully request that the Zoning Board deny the subject requested exception.

(Joseph Smith, Treasurer)

March 3, 1992

To whom It may Concern -Re Zoning ratice 14 N. Ralling

Ne oppose the opening of a Lucies, as we feel this is a fine residential area. We would hape it will remain that way. There is always the possibility one business would lead to another.

Transaire V. Seif Stephen m. Seif

1905 Rallingwood Rd. Catoroville, Md. 21228

March 3, 1992

Baltimore County Office Of Planning And Zoning 400 Chesapeake Avenue Towson, Maryland 21204

> RE: Petition For A Special Exception 14A North Rolling Road

Dear Sir:

My name is Roy Creel and I have resided with my wife Trish at 10 North Rolling Road, Catonsville, Maryland for over twenty years.

Please be advised that I am opposed to the petition for a special exception to use the dwelling located at 14A North Rolling Road for an acupuncture office. I, therefore, request that the Zoning Commissioner deny the petition for a special exception for the property known as 14A North Rolling Road. I do not feel that the location of this property is an appropriate location for an acupuncture office and I am concerned that the granting of such a special exception would have an adverse effect on the future of my neighborhood.

Very truly yours,

Roy L. Creel

Protester

Witness the hands and seals of the said grantors

Test S Lloyd Johnson

Irwin P Trail Florence F Johnson

State of Maryland Baltimore County to wit

I Hereby Certify that on this twenty first day of August in the year one thousand nine hundred and forty one before me the subscriber a Notary Public of the State of Mary land in and for Baltimore County aforesaid personally appeared S Lloyd Johnson and Florence F Johnson the within named grantors and they severally acknowledged the foregoing deed to be their act

As Witness my hand and Noterial seal
(Noterial seal) Irwin P Trai

Recorded Aug 22 1941 at 1.50 P M & EXD Per Christian H Kehl Clerk

191103
James Z Smith widower

Deed to
S Lloyd Johnson and wife

ੂU S S \$27.50 S R T \$25.00

This Deed Made this 21st day of August in the year nifetteen hundred and forty one by end between James E Smith widower of Baltimore County State of Maryland party of first part and S Lloyd Johnson and Florence F Johnson had Baltimore County State of Maryland parties of the second

Witnesseth that in consideration of the sum of five dollars and other good and file ble considerations this day pedd the receipt whereof is hereby acknowledged the said James E Smith widower does grant and convey unto the said S Lloyd Johnson and Florence F Johnson E hic wife as tenents by the entireties their assigns the survivor of them end the heirs and E assigns of the survivor in fee simple all that percel of ground situate in the First Electric of Baltimore County State of Maryland known as Glan Alpine and described as followed that is to say

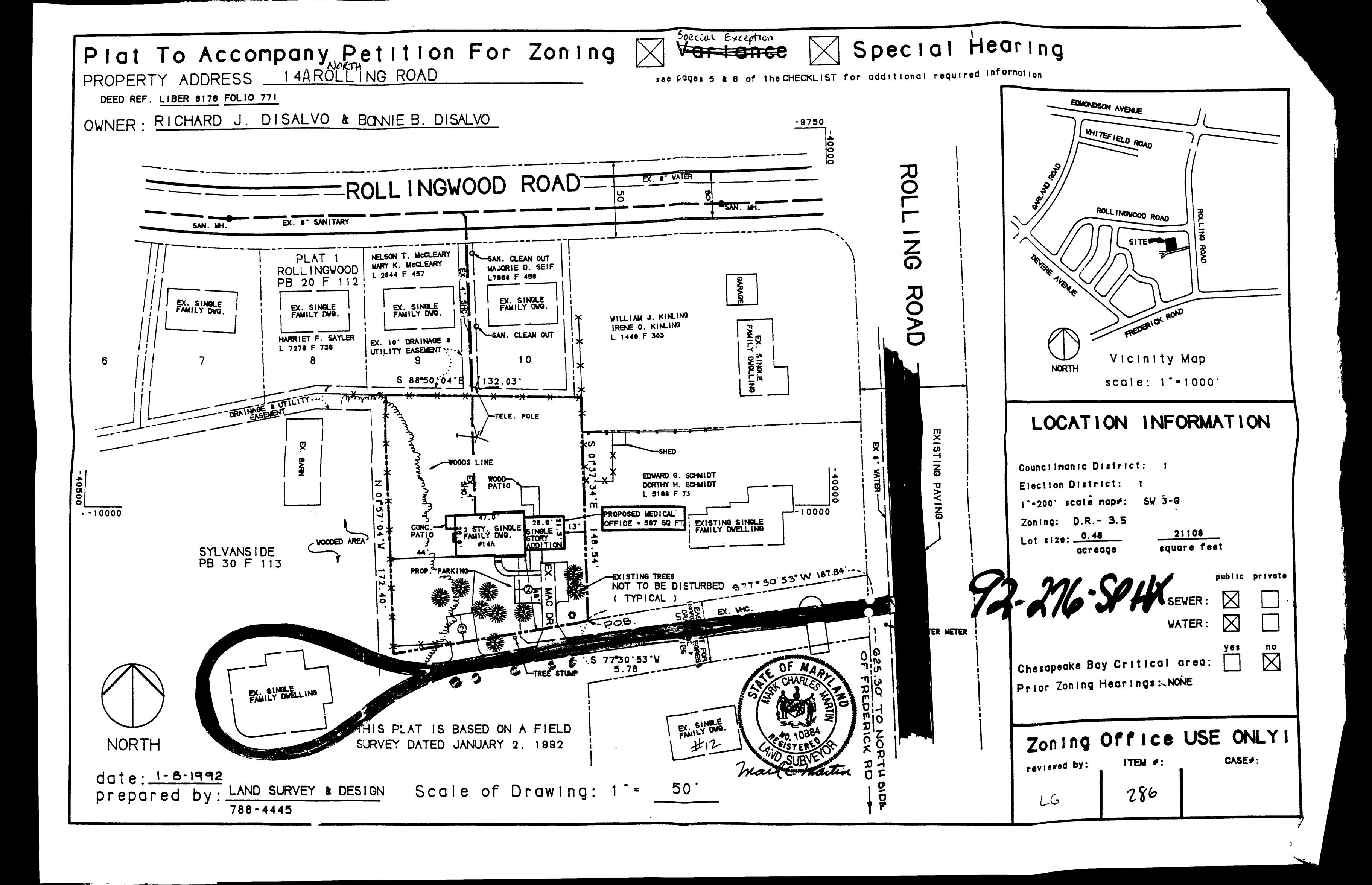
Beginning for the same at a stone heretofore planted at the northwest corner or ind tersection of Frederick Road and Rolling Road said corner being the beginning of the lend described in a deed from Charles R Johnson to Virginia M Wilson deted April 28 1883 and corded among the Land Records of Baltimore County in Liber W M I No 134 folio 350 etc and running thence binding on the west side of Rolling Road north 4 degrees 30 minutes sattle feet 10 inches to a stone now plented thence north 85 degrees 30 minutes west 425 feet to stone now planted thence north 76 degrees 14 minutes west 598 feet 2 inches to a stone and planted at the end of the second line of a percel of land conveyed by Sefe Deposit and Company to Edward M Hammond by deed dated June 10 1915 and recorded among the aforesaid Records in Liber W P C No 448 folio 17 thence reversing said line so drawn and binding on south 12 degrees 21 minutes east 1340 feet 2 inches to a stone now planted on the point west side of the Frederick Road at the beginning of said second line and thence binding in the Frederick Road the three following courses and distances wiz north 68 degrees 88 minutes east 341 feet north 78 degrees 57 minutes east 113 feet and south 85 degrees 57 minutes east 213 feet to the place of beginning Containing 20.78 acres of land more or less Subject to leaving open a strip of land 30 feet wide along the second and third.

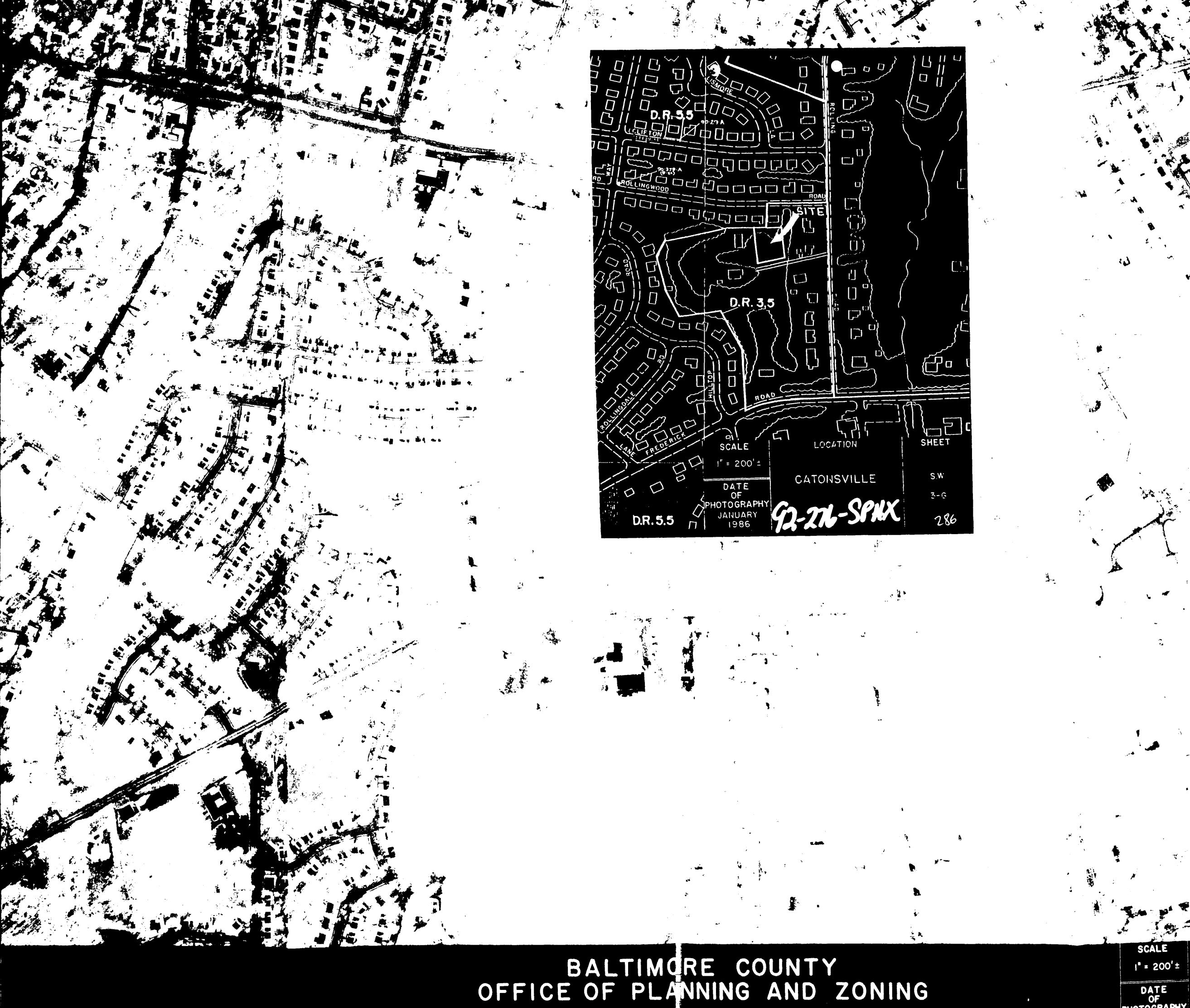
of the land above described to be used as a roadway for the benefit of the land adjoint to the westward

Prop No 5

THE CLOSE THE Offis Appl), .Made this in the year one thousand nine hundred and fifty-eight, between Florence F. Johnson, a widow, -----1.17 (2 (1) 12 (1) 2 (), ((1) (1) (1) (1) of Baltimore County, ------- State of Maryland of the first part, and Herman Steingass and Doretta W. S. Steingass, his wife, of Baltimore County, State of Waryland, -----That in consideration of the sum of Five Dollars, and other good and valuable considerations, the receipt whereof is hereby acknowledged, ----the said Florence F. Johnson, a widow, ----does $^{\circ}$ grant and convey unto the said Herman Steingass and Doretta W. S. Steingass, his wife, as tenants by the entireties, their assigns, the survivor of them, his or her -----* heirs and assigns, in fee-simple, all that lot ----- of ground situate the First Election District of ----- lying and being in/Baltimore County --- , State of Maryland, the improvements thereon being now known as Number 14 N. Rolling Road and described as follows, that is to say: BEGINNING for the same at the corner formed by the intersection of the west side of Rolling Road with the south side of a 40 foot Avenue, the west side of Rolling Road with the south side of a 40 foot Avenue, now laid out, which 40 foot Avenue embraces the entrance road leading from the Rolling Road in a westernly direction to the dwelling on the property now being described, said place of beginning also being at the beginning of a parcel of land which by a deed dated March 10, 1950 and recorded among the Land Becords of Baltimore County in Liber T.B.S.

No. 1822, Folio 423, was conveyed by S. Lloyd Johnson and wife to James C. Davis and Wife and running thence across said 40 foot Avenue and binding on the West side of Rolling Road, North 1 degree 45 minutes 30 seconds West 40.30 feet to the corner formed by the intersection of the west side of Rolling Road with the north side of said 40 foot Avenue and to the beginning of the second line of a parcel of land which by a deed deted October 11, 1949 and recorded among the Land Records of Baltimore County in Liber T.B.S. No. 1781, Folio 484, was conveyed by S. Lloyd Johnson and wife to Ralph Meyers and wife,





PHOTOGRAPHIC MAP

CATONSVILLE 286

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